

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

AVRAHAM EISENBERG,

Defendant.

STIPULATION

23 Cr. 10 (AS)

IT IS HEREBY STIPULATED AND AGREED, by and between the United States of America, by Damian Williams, United States Attorney for the Southern District of New York, Assistant United States Attorneys Thomas Burnett and Peter J. Davis, and Special Assistant United States Attorney Tian Huang, of counsel, and the defendant, Avraham Eisenberg, by and through his counsel Sanford Talkin, Esq., Brian Klein, Esq., Noam Greenspan, Esq., Riley Smith, Esq., and Ashley Martabano, Esq., that:

1. On August 9, 2023, Special Agent Michael Crawford participated in a phone interview with law enforcement officers. An AUSA assigned to the case took true and correct notes, memorializing the substance of the phone interview. A true and correct copy of those notes is available at 3501-19. Special Agent Crawford did not adopt the notes, nor did he review them prior to the hearing that took place on November 9, 2023.

2. According to the notes, Special Agent Crawford stated, in substance and in relevant part, the following, among other things: (1) Special Agent Crawford observed the secondary inspection of Mr. Eisenberg by TFO Pedro Amador; (2) Mr. Eisenberg seemed to show where some electronics were during the inspection; (3) after the secondary inspection, Special Agent Crawford and others took Mr. Eisenberg to an interview room, placed him under arrest, and seized a cellphone from his person; (4) during the arrest, the luggage remained with TFO Amador and

SA Perez in the secondary inspection area; (5) Special Agent Crawford recalled that, after Eisenberg's arrest in the interview room, the electronics, like a laptop and cellphone, were on a table in the secondary inspection area, but Special Agent Crawford was not sure how they got there and Special Agent Perez and TFO Amador would know better.

3. On August 9, 2023, Special Agent Cristine Perez participated in a phone interview with law enforcement officers. An AUSA assigned to the case took true and correct notes, memorializing the substance of the phone interview. A true and correct copy of those notes is available at 3502-02. Special Agent Perez did not adopt the notes, nor did she review them prior to the hearing that took place on November 9, 2023.

4. According to the notes, Special Agent Perez stated, in substance and in relevant part, the following, among other things: (1) Mr. Eisenberg left his luggage at the luggage-check area, and Special Agent Crawford and others brought Eisenberg to another room; (2) Mr. Eisenberg came out of the room about 10 minutes later, and after he came out, a CBP officer went through Eisenberg's luggage, finding one or two phones, earphones, batteries, and a laptop; and (3) after the search, Special Agent Perez asked a CBP officer to put everything back in the luggage.

Dated: New York, New York
November 28, 2023

DAMIAN WILLIAMS
United States Attorney
Southern District of New York

By: /s/ Thomas Burnett
Thomas Burnett
Peter J. Davis
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